

**PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
BOARD OF ADMINISTRATION  
2008 Legislative Year**

**Status as of March 19, 2008**

**B - Other Bills**

<b>Bill Number Version</b>	<b>Author</b>	<b>Summary</b>	<b>Board Position</b>	<b>Status</b>
<b>AB 2</b>  A-09/07/2007	Dymally	<b>MRMIP: Pay or Play</b>  Requires health care service plans and health insurers to elect to either make available all of its group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee covering its market share, as determined by MRMIB based on covered lives. Amendments on 9/7/07 state that covered lives shall not include persons covered under several state programs, including PEMHCA.		09/11/2007- To inactive file on motion of Senator Perata.
<b>AB 36</b>  I-12/04/2006	Niello	<b>Public Employees' Retirement: Fraud</b>  Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS, or '37 Act County Systems.	Support	02/07/2008- Senate Public Safety Committee
<b>AB 109</b>  A-07/18/2007	Nunez	<b>California Global Warming Solutions Act of 2006: Annual Report</b>  Requires the Governor to report annually to the legislature on greenhouse gas emissions. Also requires CalPERS, the State Treasurer's Office, and CalSTRS to report to the legislature, annually, on their efforts to make investments in the alternative energy or clean technology business.		09/04/2007- To inactive file on motion of Senator Perata.
<b>AB 376</b>  A-01/14/2008	Nava	<b>Local Safety Member: Airport Police Officers</b>  Allows contracting agencies to include their airport law enforcement officers as local safety members through an optional contract amendment.	Neutral	02/07/2008- Senate Public Safety Committee and Senate PE&R Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 524 A-05/10/2007	Hancock	<b>Contracting Agencies: Service Retirement; West County Waste Water District: Health Vesting</b>  Gives the West County Waste Water District a contract option to provide an employer contribution at the 100/90 formula for postretirement health coverage if the employee completes at least 10 years of state service with the District at retirement, as specified. This provision only applies to district employees who are first hired on or after January 1, 2009.	Support	05/23/2007-Senate PE&R Committee
AB 545 A-01/17/2008	Walters	<b>CalPERS: Increased Investigation Authority</b>  Allows CalPERS investigators increased access to information maintained by the Employment Development Department (EDD) or by workers' compensation insurers with respect to an investigation of benefit eligibility or unlawful application for, or receipt of benefits.	Support	02/07/2008-Senate Banking, Finance and Insurance Committee
AB 1554 A-07/05/2007	Jones	<b>Health Plan Rate Approval</b>  Would require a health care service plan or disability insurance policy to receive approval by the Department of Managed Health Care or the Department of Insurance of an increase in the amount of the premium, copayment, coinsurance obligation, deductible, or other charges that would be effective on or after January 1, 2009. This article shall not apply to a State Program, though State Program is not defined in this bill or the Health and Safety Code. This article shall not apply to a proposed rate increase of less than 5 percent if the health care services plan's medical loss ratio during each of its three most recently completed reporting years is 90 percent or higher. In addition any rate increase that became effective between January 1, 2007 and December 31, 2008 would be subject to a review by the appropriate department. This bill excludes the Medical Program, Healthy Families Program and Medicare supplement plans.		07/11/2007-Senate Health Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 1561 A-06/14/2007	Calderon, Charles	<b>State Tax Conformity with Federal Tax Changes</b>  Among other things, provides state conformity to federal income tax laws to make permanent an exclusion for public safety employees from the 10 percent early withdrawal penalty on distributions made to beneficiaries of certain annuities and employees' trusts, as well as the tax treatment of certain distributions of pension plans. Also provides conformity with the recent federal exclusion from taxation of gross income of qualified public safety officers retired for service or disability, their spouses and dependents, up to \$3000 annually in direct distributions from an eligible public retirement plan to pay premiums for health, accident, or long-term care insurance.		08/30/2007- Senate Appropriations Committee; suspense file.
AB 1844 I-01/28/2008	Hernandez	<b>Public Employee Benefits</b>  (1) Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS or '37 Act County System. (2) Allows CalPERS investigators increased access to information maintained by the Employment Development Department or by the workers' compensation insurers with respect to an investigation of benefit eligibility or unlawful application for, or receipt of benefits. (3) Requires public agencies to report OPEB information to the State Controller. Also requires the State Controller to develop a simple and inexpensive procedure to collect and report this information. (4) Requires that the Enrolled Actuary's cost analysis include normal cost and any additional accrued liability. The Agency chief executive officer shall attest in writing that he or she understands the current and future costs.		02/21/2008- Assembly PER&SS Committee
AB 1858 I-01/30/2008	Jeffries	<b>Benefit Forfeiture</b>  Requires a public employee first hired on or after January 1, 2009 that is convicted of a felony arising out of his or her official duties to forfeit the retirement benefits that accrue as a result of his or her public employment and shall receive only the employee contributions made during his or her employment.		02/28/2008- Assembly PER&SS Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 1887  I-02/07/2008	Beall	<b>Mandated Benefits: Mental Health Parity</b>  Requires all health care service plans to provide coverage and treatment of patients with mental health disorders that is equitable to coverage provided for other medical illnesses. Would define mental illness for this purpose as a mental disorder defined in the Diagnostic and Statistical Manual IV, including substance abuse. This mandate does not apply to plans offered under PEMCHA.		02/21/2008- Assembly Health Committee
AB 1936  I-02/12/2008	Emmerson	<b>Public Agency Definition: Nonprofit Mutual Water Companies</b>  Authorizes a nonprofit mutual water company to enter into a contract with CalPERS for participation of the agency's employees as members of the system if the agency obtains a ruling from the U.S. Department of Labor defining it as a public agency.		02/28/2008- Assembly PER&SS Committee
AB 1963  I-02/14/2008	Carter	<b>Credit for Same Service: Supplemental Defined Benefit Plan</b>  Broadens the exception to the prohibition on receiving credit for the same service to permit concurrent participation and credit for service in a defined benefit plan supported by public funds provided by systems other than CalPERS and a supplemental defined benefit plan offered by the employer. Also makes changes to conform with current federal tax law.		02/28/2008- Assembly PER&SS Committee
AB 1967  I-02/14/2008	Torricon	<b>Responsible Private Equity Investment Act of 2008</b>  Prohibits CalPERS and CalSTRS from investing in private equity companies or the funds they manage, that are owned in whole or part by a sovereign wealth fund whose home country is not a signatory or party to a threshold number of specified international human rights treaties.		02/28/2008- Assembly PER&SS Committee and Assembly Judiciary Committee

Bill Number Version	Author	Summary	Board Position	Status
AB 1997  I-02/14/2008	Hayashi	<b>Vision Care: Local Member Annuitants</b>  Requires CalPERS to establish and administer the Vision Care Program for Local Members. This self-funded program would provide vision care coverage to specified retired local members and their dependents similar to the Vision Care Program for State Annuitants administered by DPA. In the third year, CalPERS would be required to report to the Legislature on the economic sustainability of the program.		02/28/2008- Assembly PER&SS Committee
AB 2023  I-02/15/2008	Houston	<b>Disability Benefits</b>  Expresses Legislative intent to require that the granting of public employee disability retirement benefits be based solely on medical issues, and not on personnel, disciplinary, or other unrelated issues. This is one of the recommendations recently made by the Governor's Commission on Public Employee Post-Employment Benefits.		02/19/2008- From printer. May be heard in committee March 20.
AB 2024  I-02/15/2008	Houston	<b>Disability Retirement Medical Exams</b>  Allows CalPERS to request up to two medical re-evaluations for individuals over the minimum age for service retirement if they have been receiving a disability allowance for less than 36 months. Medical re-evaluations after retirement currently cannot be requested if the retiree has reached the minimum age of retirement for service applicable to his or her retirement formula.		02/28/2008- Assembly PER&SS Committee
AB 2156  I-02/20/2008	Hernandez	<b>Safety Members: Special Death Benefit</b>  This bill clarifies eligibility for the special death benefit by stating that an injury that results in a persistent vegetative state lasting until the member's death qualifies that member's dependants for the special death benefit and continued health coverage.		03/05/2008- Assembly PER&SS Committee

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AB 2158  I-02/20/2008	Soto	<p><b>State Employees' Health Benefits: Blood-borne or airborne diseases</b></p> <p>This bill would provide that if a state employee or an annuitant who retired from state employment and sustained an injury as the result of a work-related event that meets a specified definition of a blood-borne or airborne infectious disease, and a dependent or former dependent of that person contracts the blood-borne disease from that person, the dependent or former dependent may receive health care benefits sufficient to cover all medically necessary health care costs associated with the disease, for the duration of the disease. The bill would also provide that a person who elects to receive these benefits would be prohibited from bringing a civil action against the state for damages related to contracting the disease.</p>		03/05/2008- Assembly PER&SS Committee and Assembly Judiciary Committee
AB 2287  I-02/21/2008	Evans	<p><b>Firefighters: Benefits</b></p> <p>The Public Employees' Medical and Hospital Care Act (PEMHCA) provides continuing health benefit coverage to the surviving spouse or eligible family member of a firefighter or peace officer who dies in the line of duty. This bill makes technical, clarifying changes to the definition of a surviving spouse.</p>		02/22/2008- From printer. May be heard in committee March 23.
AB 2626  I-02/22/2008	Jeffries	<p><b>Firefighters: Health Care Benefits</b></p> <p>The Public Employees' Medical and Hospital Care Act (PEMHCA) provides continuing health benefit coverage to the surviving spouse or eligible family member of a firefighter or peace officer who dies as a result of an injury or disease sustained in the line of duty. This bill would extend that health benefit coverage to the surviving spouse or eligible family member of a volunteer firefighter of a regularly organized fire department.</p>		02/25/2008- Read first time.

Bill Number Version	Author	Summary	Board Position	Status
AB 2677  I-02/22/2008	Krekorian	<b>Divestment: Companies Profiting from Genocide</b>  the Legislature intends to (1) require the Treasurer to establish an administrative process to determine whether is improperly withholding assets and, as a result, is profiting from genocide, and to publish a report in this regard; (2) require CalPERS and CalSTRS to divest from corporations or partnerships that the report of the Treasurer identifies as profiting from genocide.		02/25/2008- Read first time.
AB 2967  I-02/22/2008	Fuentes	<b>California Health Care Cost and Quality Transparency Committee</b>  This bill would create the California Health Care Cost and Quality Transparency Committee in the Health and Human Services Agency, which would be responsible for the development of a health care cost and quality transparency plan, including strategies to improve medical data collection and reporting practices. This bill would require the secretary, or the Office of Statewide Health Planning and Development to adopt regulations as necessary to carry out the bill's requirements. The bill would provide for the confidentiality of information obtained in the course of the data collection activities implemented under the bill.		02/25/2008- Read first time.
ABX1 1  A-01/16/2008	Nunez	<b>Health Care Reform</b>  Requires the California Health and Human Services Agency in consultation with CalPERS and others to develop health care provider performance measurement benchmarks and incorporate these benchmarks into a common pay-for-performance model to be offered in every state-administered health care program including PEMHCA. It would require CalPERS to be part of an assessment of the cost and affordability of health care in California. Requires the CalPERS health program to provide or arrange for the provision of an electronic personal health record and a Healthy Action Incentives and Rewards Program to all its enrollees. It would require a designee of CalPERS to participate as ex-officio member of a newly created Health Care Cost and Quality Transparency Commission.		02/25/2008- From committee without further action pursuant to Joint Rule 62(a).

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<b>ABX1 3</b>  A-11/08/2007	Dymally	<b>MRMIP: Pay or Play</b>  Requires a health care service plan and a health insurer to continue until January 1, 2009, to provide coverage to each individual who was terminated from the pilot program, with the benefits and premium for that coverage being determined by MRMIB, and to send those individuals a notice developed by MRMIB. The bill would, effective January 1, 2009, require a health care service plan and a health insurer to elect to either make available all of its group or individual health benefit plans to individuals in each service area, or to alternatively pay a fee covering its market share, as determined by MRMIB, of MRMIP's costs. It appears that PEMCHA would be included in the definition of covered lives.		11/08/2007- Assembly Health Committee
<b>ABX1 8</b>  A-11/08/2007	Villines	<b>Health Care Reform</b>  ABX1 8 proposes multiple strategies to address health care costs and access, including: tax incentives and government programs to promote and facilitate consumer-directed health care and employer-sponsored insurance; allowing the sale of out-of-state health insurance policies not subject to any California law or regulation; increasing Medi-Cal provider reimbursement rates and creating an income tax credit for physicians who provide unreimbursed care for the uninsured.		11/14/2007- Assembly Health Committee
<b>SB 11</b>  A-07/05/2007	Migden	<b>Domestic Parnterships</b>  Would expand the definition of "domestic partner" by allowing two persons of opposite sexes who are over 18 years of age and meet other specified criteria to register as domestic partners. As domestic partners they would be entitled to the same rights and duties as a spouse with regard to all state laws, including community property, pension and death benefits, taxes, and health insurance coverage.	Neutral, with Suggested Amendments	08/30/2007- Assembly Appropriations Committee; held under submission.



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SB 579  A-06/21/2007	Wiggins	<b>Safety Member: Qualified Health Insurance Premiums</b>  Requires CalPERS to certify to the Internal Revenue Service and specified health insurance plan providers for tax purposes that the member is a retired public safety officer when the member retires for disability or based upon years of service after attaining the normal retirement age.		09/07/2007- Placed on inactive file on request of Assembly Member Bass.
SB 580  I-02/22/2007	Wiggins	<b>PEMHCA: Contract with Out-of-State Pension and Health Systems</b>  Authorizes the CalPERS Board to contract with out-of-state public employee pension and health systems to provide health care benefits to California employees and annuitants who reside outside this state, as specified.	Neutral	09/06/2007- Placed on inactive file on request of Assembly Member De Leon.
SB 608  C-02/28/2008	Wiggins	<b>JRS Optional Settlements</b>  Restores in statute, the ability of judges that have attained the minimum age for service retirement with at least 20 years of service to irrevocable elect to designate their spouse to receive an optional settlement 2 in lieu of a pre-retirement death benefit, under the same provisions of law in effect prior to January 1, 2005, which provides the surviving spouse a monthly allowance equal to the actuarial equivalent of the member's earned retirement. Also honors elections made by judges between January 1, 2003 and January 1, 2007 that designated their spouse or someone other than their spouse to receive this specific pre-retirement optional settlement.		02/28/2008- Chaptered by the Secretary of State, Chapter No. 1, Statutes of 2008

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SB 840  A-07/10/2007	Kuehl	<b>Universal Coverage: Single-Payer System</b>  Makes all California residents eligible for specified health care benefits under the newly created California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Prohibits the issuance of health plan contracts for services covered by the system. Creates the California Healthcare Premium Commission (the Commission) to determine the cost of the California Healthcare System and develop a premium structure. Requires the Commission to recommend a premium structure to the Governor and Legislator on or before January 1, 2010, and to make a draft recommendation to the Governor, the legislature and the public 90 days before submitting its final premium structure recommendation. Requires that the system be operative within two years of the Secretary of Health and Human Services notifying the legislature that sufficient funds exist.		07/10/2007- Assembly Appropriations Committee
SB 981  A-09/07/2007	Perata	<b>Health Care Coverage: Noncontracting Hospital-Based Physician Claims</b>  Establishes standards and requirements for claims payment and dispute resolution for non-contracting hospital-based physicians who provide emergency services in a hospital to enrollees of a health care service plan licensed by DMHC under Knox-Keene. Specifically, this bill would require any non-contracting hospital-based physician who provides emergency services in a hospital to seek reimbursement for medically necessary emergency services provided to the health plan enrollee solely from the health plan or its contracting risk-bearing organization that is financially responsible for the covered services.		09/10/2007- Assembly Health Committee and Assembly Appropriations Committee
SB 1066  I-01/10/2008	Migden	<b>Domestic Partnerships</b>  Would expand the definition of "domestic partner" by allowing two persons of opposite sexes who are over 18 years of age and meet other specified criteria to register as domestic partners. As domestic partners they would be entitled to the same rights and duties as a spouse with regard to all state laws, including community property, pension and death benefits, taxes, and health insurance coverage.		02/25/2008- Senate Judiciary Committee

Bill Number Version	Author	Summary	Board Position	Status
SB 1123  I-01/28/2008	Wiggins	<p><b>Pension and OPEB Benefit Cost Estimate Best Practices and Disclosure</b></p> <p>Requires state and local legislative bodies to review the impact of future annual costs associated with OPEB increases before their approval. These actuarial impact statements must be produced by an enrolled actuary and made public at a meeting of the legislative body at least two weeks prior to its adoption. Requires an actuary to attend the meeting where the adoption of a new benefit is considered, and prohibits the legislative body from approving new benefits or benefit increases by means of a consent calendar. Creates an California Actuarial Advisory Panel to provide information on pensions, OPEB's, and best practices to the Legislature, the Governor, public retirement systems, public agencies, and interested parties, including actuarial model policies, and pricing, disclosure and quality control standards for public sector actuaries. This bill is a result of recommendations made by the Public Employee Post-Employment Benefit Commission.</p>		02/07/2008-Senate PE&R Committee
SB 1601  I-02/22/2008	Negrete McLeod	<p><b>Vision Care Program for State Annuitants: Direct Billing</b></p> <p>Allows the Vision Care Program for State Annuitant's plan provider to bill an annuitant directly if there are insufficient funds in an annuitant's allowance to pay the premiums.</p>		02/25/2008-Read first time.
SBX1 12  A-01/14/2008	Runner	<p><b>Health Care Cost and Quality Transparency</b></p> <p>Creates the California Health Care Cost and Quality Transparency Committee in the Health and Human Services Agency, which would be responsible for the development of a health care cost and quality transparency plan, which would include various strategies to improve medical data collection and reporting practices. Requires the Secretary of Health and Human Services to designate a lead agency which would adopt regulations to carry out the bill's intent, and to contract with a qualified public or private agency or academic institution to assist in the review of existing data collection programs or conduct other research or analysis.</p>		01/14/2008-Senate Rules Committee and Senate Health Committee

Bill Number Version	Author	Summary	Board Position	Status
SBX1 18  I-10/11/2007	Cogdill	<b>PEMHCA: Public Employees' Health Savings Fund</b>  Requires the CalPERS Board of Administration to offer a high deductible health plan and a health savings account option to public employees and annuitants, as specified. The bill would establish the Public Employees' Health Savings Fund, a continuously appropriated trust fund within the State Treasury, for payment of qualified medical expenses of eligible employees and annuitants who elect to enroll in the high deductible health plan and participate in the health savings account option, and would require those employees and annuitants, and their employers, to make specified contributions to that fund.		01/07/2008- Senate PE&R Committee